

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
SW/S Rossville Boulevard, 390' * ZONING COMMISSIONER
NW of the c/l of Kelso Drive
15th Election District * OF BALTIMORE COUNTY
6th Councilmanic District
Rossville Associates Ltd. Part. * Case No. 91-207-X
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for two (2) illuminated 12' x 25' advertising signs in accordance with Petitioner's Exhibit 1.

The Petitioners, by Albert Faginski, Esquire, appeared, and testified. Also appearing on behalf of the Petitioners was Donna Hayward with Penn Advertising of Baltimore, Inc., Contract Purchaser. There were no Protestants.

Testimony indicated that the subject property, located on Rossville Boulevard, approximately 390' northwest of Kelso Drive, consists of 450 sq.ft. zoned M.L.-I.M. and is within the Pulaski Industrial Park. Petitioners have entered into a contract to lease the subject property to Penn Advertising of Baltimore, Inc. for purposes of erecting a 12' x 25' double-faced advertising sign of 600 sq.ft. total. Testimony presented indicated the Petitioners have reviewed the special exception requirements of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and that the proposed sign meets the standards set forth therein. Further testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

It is clear that the B.C.Z.R. permits the use proposed in an M.L.-I.M. zone by special exception. It is equally clear that the pro-

posed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of July, 1991 that the Petition for Special Exception to permit two (2) illuminated 12' x 25' advertising signs on the

subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any sign permit, Petitioners shall submit a revised site plan that has been signed and certified by a registered professional engineer and/or land surveyor, which clearly identifies all buildings, their size and area dimensions, their exact location on the property, their distances from all property lines, a complete zoning history, including all prior zoning cases, a recalculation of parking spaces to demonstrate that there will be no negative impact as a result of the granting of this relief, and any other information as may be required to be a certified site plan.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 7/12/91
By [Signature]

- 3 -

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 12, 1991

Albert Faginski, Esquire
Weinberg & Green
100 S. Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
SW/S Rossville Boulevard, 390' NW of the c/l of Kelso Drive
15th Election District- 6th Councilmanic District
Rossville Associates Ltd. Part. - Petitioners
Case No. 91-207-X

Dear Mr. Faginski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
SW/S Rossville Boulevard, 390' * ZONING COMMISSIONER
NW of the c/l of Kelso Drive
15th Election District * OF BALTIMORE COUNTY
6th Councilmanic District
Rossville Associates Ltd. Part. * Case No. 91-207-X
Petitioners

AMENDED ORDER

WHEREAS, the Petitioners herein were granted a special exception for two (2) illuminated 12' x 25' advertising signs, in accordance with Petitioner's Exhibit 1, by Order issued July 12, 1991;

WHEREAS, subsequent to the issuance of said Order, Counsel for Petitioners notified this Office that his name was incorrectly spelled in the Order and requested it be corrected;

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of July, 1991 that the Order issued July 12, 1991 in the above-captioned matter be and the same is hereby AMENDED to correct the spelling of Counsel for Petitioner to M. Albert Faginski.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued July 12, 1991 shall remain in full force and effect.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs
cc: M. Albert Faginski, Esquire
Weinberg & Green, 100 S. Charles Street, Baltimore, Md. 21201
People's Counsel; File

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-207-X

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for two (2) illuminated 12' x 25' advertising (sign) structures.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Penn Advertising of Baltimore, Inc. (Type or Print Name)
Signature *Donna Hayward*
3001 Remington Avenue (Address)
Baltimore, Maryland 21211 (City and State)

Legal Owner(s): Rossville Associates Ltd. (Type or Print Name)
Signature *George Arconti Jr.*
3001 Remington Avenue (Address)
Baltimore, Maryland 21211 (City and State)

Attorney for Petitioner: Stuart Berger, Esq. (Type or Print Name)
Signature *Stuart Berger*
100 S. Charles Street (Address)
Baltimore, Maryland 21201 (City and State)

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Baltimore, Maryland 21208 (City and State)

Attorney's Telephone No.: (Address) (Phone No.)

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of Nov, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of July, 1991, at 11 o'clock A.M.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date 7/14/91
By [Signature]

Z.C.O.-No. 1 (over)

MMK - 10/24/90
C.O. time - 4:45 min
avail. anytime

PROPERTY DESCRIPTION

Beginning at a point located on the South West side of Rossville Blvd. 390' West of Kelso Drive, thence 25' North 45°-42'00"-25' to pt.

1. South 44° 18'00" East - 15'
2. South 45° 42'00" West - 30'
3. North 44° 42'00" East - 15'
4. North 45° 42'00" - 30' to pt of beginning

91-207-X

0366:04/05/91(4)
BPL42/76316

IN THE MATTER OF A PETITION * BEFORE THE
FOR SPECIAL EXCEPTION * BALTIMORE COUNTY ZONING COMMISSIONER

SW/S Rossville Boulevard *
390' NW Centerline of Kelso Dr. * Case No.: 91-207-X
15th Election District - 6th *
Councilmanic District * Item No.: 180
Petitioner: Rossville Associates *
Limited Partnership * Hearing Date: 4/3/91
Contract Purchaser: Penn *
Advertising of Baltimore, Inc. *

REQUEST FOR REHEARING

The Petitioner and Contract Purchaser, by their undersigned attorneys, hereby request a rehearing of the above-captioned Petition for Special Exception. In support of the Request, the Petitioner and Contract Purchaser state as follows:

1. On March 27, 1991, the Petitioner and Contract Purchaser filed a Request for Postponement of the hearing on the Petition for Special Exception for one double faced outdoor advertising sign. The hearing on the Petition for Special Exception was scheduled for April 3, 1991. Thereafter, the undersigned was advised that the Request for Postponement was granted. However, the undersigned was further advised that, because the Request for Postponement was filed only a week before the scheduled hearing date, the Zoning Commissioner would nonetheless take the testimony of all protestants that appeared at the April 3, 1991 hearing.

2. On April 3, 1991 this case was called for hearing on the extant Petition for Special Exception before the Zoning Commissioner. No protestants appeared at the April 3, 1991 hearing.

3. At the time the Request for Postponement was granted, the undersigned was advised that he would have the opportunity to present the Petitioner's case at a subsequent date to be scheduled by the Zoning Commissioner.

WHEREFORE, for the foregoing reasons, the Petitioner and Contract Purchaser respectfully request that this matter be rescheduled for a hearing in order to afford the Petitioner the right to present its case in support of the extant Petition for Special Exception.

Respectfully submitted,

Stuart R. Berger
Stuart R. Berger

WEINBERG AND GREEN
100 South Charles Street
Baltimore, Maryland 21201
(301) 332-8662

Attorney for Petitioner/
Contract Purchaser

IN THE MATTER OF TWO
PETITIONS FOR SPECIAL
EXCEPTIONS * BALTIMORE COUNTY
* ZONING CASE NOS.:
91-207-X and 91-208-X
Petitioner: Rossville Associates *
Petitioner: William Peterson, et ux.

REQUEST FOR POSTPONEMENT

The petitioners and Contract Lessee, by their undersigned attorneys, respectfully request a postponement of the hearings in the above-captioned cases, presently scheduled for April 3, 1991.

Counsel for the Petitioners and Contract Lessee is scheduled to appear before the Honorable Kathleen O'Farrell Friedman on the morning of April 3, 1991. The hearing before Judge Friedman, docketed as *James Francis O'Hara, III v. Irvin Kovens, et al.* (Circuit Court for Baltimore City, Case No.: 16640/1978/1398) is scheduled to start at 9:30 a.m. and last the entire day of April 3, 1991. Accordingly, the Petitioners and Contract Lessee respectfully request a postponement of the hearing date in this matter in order to assure the appearance of counsel at the hearing on the above-captioned Petitions for Special Exceptions.

Respectfully submitted,

Stuart R. Berger
Stuart R. Berger

WEINBERG AND GREEN
100 South Charles Street
Baltimore, Maryland 21201
(301) 332-8662

Attorneys for the Petitioner/
Contract Lessee

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

December 17, 1990

Donna Hayward
Penn Advertising of Baltimore, Inc.
3001 Remington Avenue
Baltimore, Maryland 21211

Re: Case Numbers: 91-207-X and 91-208-X
Contract Purchaser: Penn Advertising
Owner: Rossville Associates (91-207-X)
Owner: William Peterson, et ux (91-208-X)

POSTPONEMENT OF JANUARY 30, 1991 HEARING DATE

Dear Ms. Hayward:

This to confirm your postponement request with regard to the above captioned matters. Accordingly, both cases have been pulled from the January 30, 1991 docket and will be rescheduled at a later date.

If you have any questions, please feel free to contact me.

Very truly yours,

G. G. Stephens
G. G. Stephens
(301) 887-3391

cc: Stuart Berger, Esq.
Rossville Associates, Limited Partnership
William Peterson, et ux

IN THE MATTER OF A
PETITION FOR SPECIAL
EXCEPTION AT
SW/S Rossville Blvd.

390' NW centerline
of Kelso Drive
15th Election District-
6th Councilmanic

ROSSVILLE ASSOCIATES LIMITED
PARTNERSHIP
Petitioner

* BALTIMORE COUNTY
* Zoning Case No. 91-207-X

ENTRY OF APPEARANCE

Please enter the appearance of Stuart R. Berger and Weinberg and Green as attorneys for the Petitioner and Contract Lessee in the above-captioned case.

Respectfully submitted,

Stuart R. Berger
Stuart R. Berger

WEINBERG AND GREEN
100 South Charles Street
Baltimore, Maryland 21201
(301) 332-8662

Attorneys for the Petitioner/
Contract Lessee

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt

Date

91-207

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt

Date

91-207

V 9/19/91

Please Make Checks Payable To: Baltimore County

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

7/19/91

91-207

91-208

Posting and hearing fees \$170.00

Penn Advertising

Cashier Validation

Please Make Checks Payable To: Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD. 1-3-91

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-20-90

THE JEFFERSONIAN,

S. Zebe Orlan
Publisher

\$ 60.35

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Board of Zoning Appeals, will hold a public hearing on the proposed Special Exception for two (2) lots, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, as follows:

Case Number: 91-207-X
SW/S Rossville Boulevard,
390' NW centerline of Kelso Drive
15th Election District
6th Councilmanic
Legal Owner: Rossville Associates Limited Partnership
Contract Purchaser: Penn Advertising of Baltimore, Inc.
HEARING: Wed. Jan. 30, 1991 at 11:00 a.m.

Special Exception for two (2) lots, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, as follows:

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NU12210 Dec. 20.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 1/14/91
Posted for: Special Exception
Petitioner: Rossville Associates Limited Partnership & Penn Advertising, Inc.
Location of property: SW/S Rossville Blvd., 390' NW Kelso Drive
Location of Signs: Facing Rossville Blvd., across 12th from the way, on property of Baltimore County
Remarks: By J. Robert Haines
Posted by: J. Robert Haines Date of return: 1/14/91
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 1/14/91
Posted for: Special Exception
Petitioner: Rossville Associates Limited Partnership & Penn Advertising, Inc.
Location of property: SW/S Rossville Blvd., 390' NW Kelso Drive
Location of Signs: Facing Rossville Blvd., across 12th from the way, on property of Baltimore County
Remarks: By J. Robert Haines
Posted by: J. Robert Haines Date of return: 1/14/91
Number of Signs: 1

CERTIFICATE OF PUBLICATION

1-3-91

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-20-90

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zebe Orlan
Publisher

\$ 60.35

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Board of Zoning Appeals, will hold a public hearing on the proposed Special Exception for two (2) lots, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, as follows:

Case Number: 91-207-X
SW/S Rossville Boulevard,
390' NW centerline of Kelso Drive
15th Election District
6th Councilmanic
Legal Owner: Rossville Associates Limited Partnership
Contract Purchaser: Penn Advertising of Baltimore, Inc.
HEARING: Wed. Jan. 30, 1991 at 11:00 a.m.

Special Exception for two (2) lots, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, as follows:

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NU12210 Dec. 20.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 2/12/91
Posted for: Special Exception
Petitioner: Rossville Associates Limited Partnership & Penn Advertising, Inc.
Location of property: SW/S Rossville Blvd., 390' NW Kelso Drive
Location of Signs: Facing Rossville Blvd., across 12th from the way, on property of Baltimore County
Remarks: By J. Robert Haines
Posted by: J. Robert Haines Date of return: 2/12/91
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Ne 3752

Date

7/19/91

PUBLIC HEARING FEES CITY \$175.00
150 - SPECIAL EXCEPTION \$175.00
TOTAL: \$175.00
LAST NAME OF OWNER: ROSSVILLE ASSOC

Cashier Validation

Please make checks payable to: Baltimore County

640060320012ARC \$175.00
24 2001149151-24-00
NEXT BUSINESS DAY

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204 887-3353

DATE: 1/19/91

Penn Advertising of Baltimore, Inc.
3001 Remington Avenue
Baltimore, Maryland 21211

RE:
Case Number: 91-207-X
SW/S Rossville Boulevard, 390' NW centerline of Kelso Drive
15th Election District - 6th Councilmanic
Legal Owner(s): Rossville Associates Limited Partnership
Contract Purchaser(s): Penn Advertising of Baltimore, Inc.
HEARING: WEDNESDAY, JANUARY 30, 1991 at 11:00 A.M.

Dear Petitioner(s):

Please be advised that \$ 2500.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Stuart Berger, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204 887-3353

December 7, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-207-X
SW/S Rossville Boulevard, 390' NW centerline of Kelso Drive
15th Election District - 6th Councilmanic
Legal Owner(s): Rossville Associates Limited Partnership
Contract Purchaser(s): Penn Advertising of Baltimore, Inc.
HEARING: WEDNESDAY, JANUARY 30, 1991 at 11:00 a.m.

Special Exception for two illuminated 12 ft. by 25 ft. advertising (sign) structures.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Rossville Associates Limited Partnership
Penn Advertising of Baltimore, Inc.
Stuart Berger, Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204 887-3353
May 28, 1991

Stuart Berger, Esquire
100 S. Charles Street
Baltimore, MD 21201

RE: Item No. 180, Case No. 91-207-X
Petitioner: Rossville Associates Ltd
Petition for Special Exception

Dear Mr. Berger:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Ms. Donna Hayward
Penn Advertising of Baltimore
3001 Remington Avenue
Baltimore, MD 21211

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204 887-3353

Your petition has been received and accepted for filing this
24th day of April, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Rossville Associates, et al

Petitioner's Attorney: Stuart Berger

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: February 1, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Rossville Associates Ltd. Partnership, Item No. 180

The petitioner requests a Special Exception for two illuminated 12' X 25' advertising sign structures.

Recently, this office has commented on an extraordinary number of requests for outdoor advertising signs. Staff has opposed the majority of these requests for numerous reasons, i.e., visual clutter, traffic safety, conflict with the Master Plan, and the negative impact these signs have on residential communities.

In the instant case, no residential zoned land is located within approximately 900 ft. of the subject request. Of the several requests for outdoor advertising signs reviewed to date, this site is the most suitable for the intended use. Therefore, staff recommends the petitioner's request be granted. However, staff encourages the sign industry to acquaint itself with the concerns raised by this office in order to locate signs that will benefit the industry, its clients, and the citizens of Baltimore County.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM180/ZAC1

2/5/91

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

November 28, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dennis F. Rasmussen
County Executive

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers, 170, 172, 175, 176, 178, and 180.

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate II

NSF/lab

received
12/2/90

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500
Paul H. Reincke
Chief

NOVEMBER 2, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Dennis F. Rasmussen
County Executive

RE: Property Owner: ROSSVILLE ASSOCIATES LIMITED PARTNERSHIP

Location: SW/S ROSSVILLE BLVD.

Item No.: 180 Zoning Agenda: NOVEMBER 13, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: J. Robert Haines
Planning Group
Special Inspection Division

Noted and Approved
Fire Prevention Bureau

JR/KEK

received
11/4/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
NOVEMBER 5, 1990

received
11/8/90

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES
SUBJECT: ZONING ITEM #: 180
PROPERTY OWNER: Rossville Associates Limited Partnership
LOCATION: SW/S Rossville Boulevard, 390' NW centerline of Kelso Drive.
ELECTION DISTRICT: 15th
COUNCILMANIC DISTRICT: 6th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () RAMPS (degree slope)
() NUMBER PARKING SPACES () CURB CUTS
() BUILDING ACCESS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

X A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

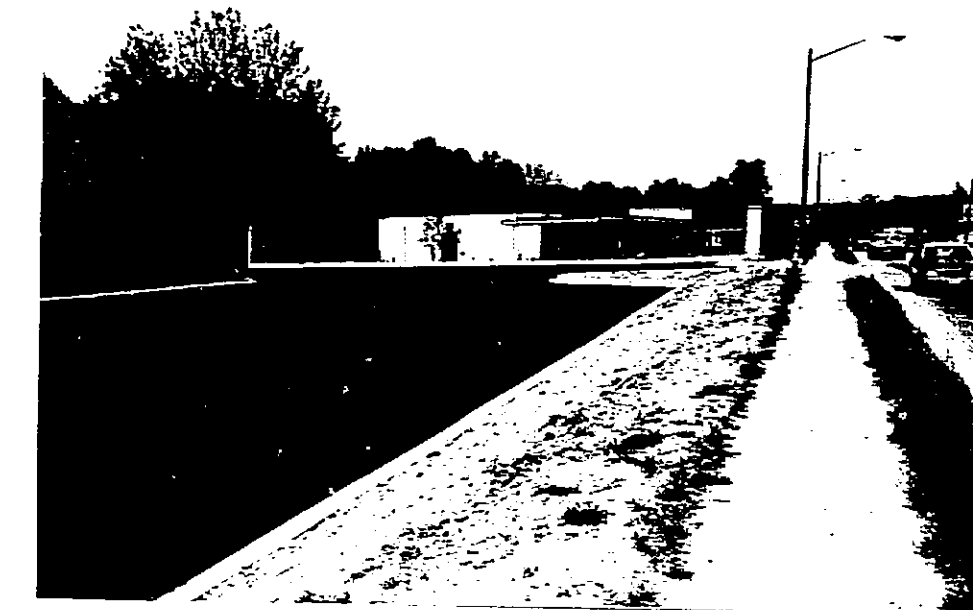
X OTHER - SIGN PAPER THAN TWO ILLUMINATED SIGNS. ALL SIGNS SHALL COMPLY TO ARTICLE 29 AS AMENDED BY COUNCIL BILL #158-88.

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

Petitioner's Exhibit 2
91-207X



PETITIONER(S) EXHIBIT (3) 91-207X



PETITIONER(S) EXHIBIT (4) 91-207X



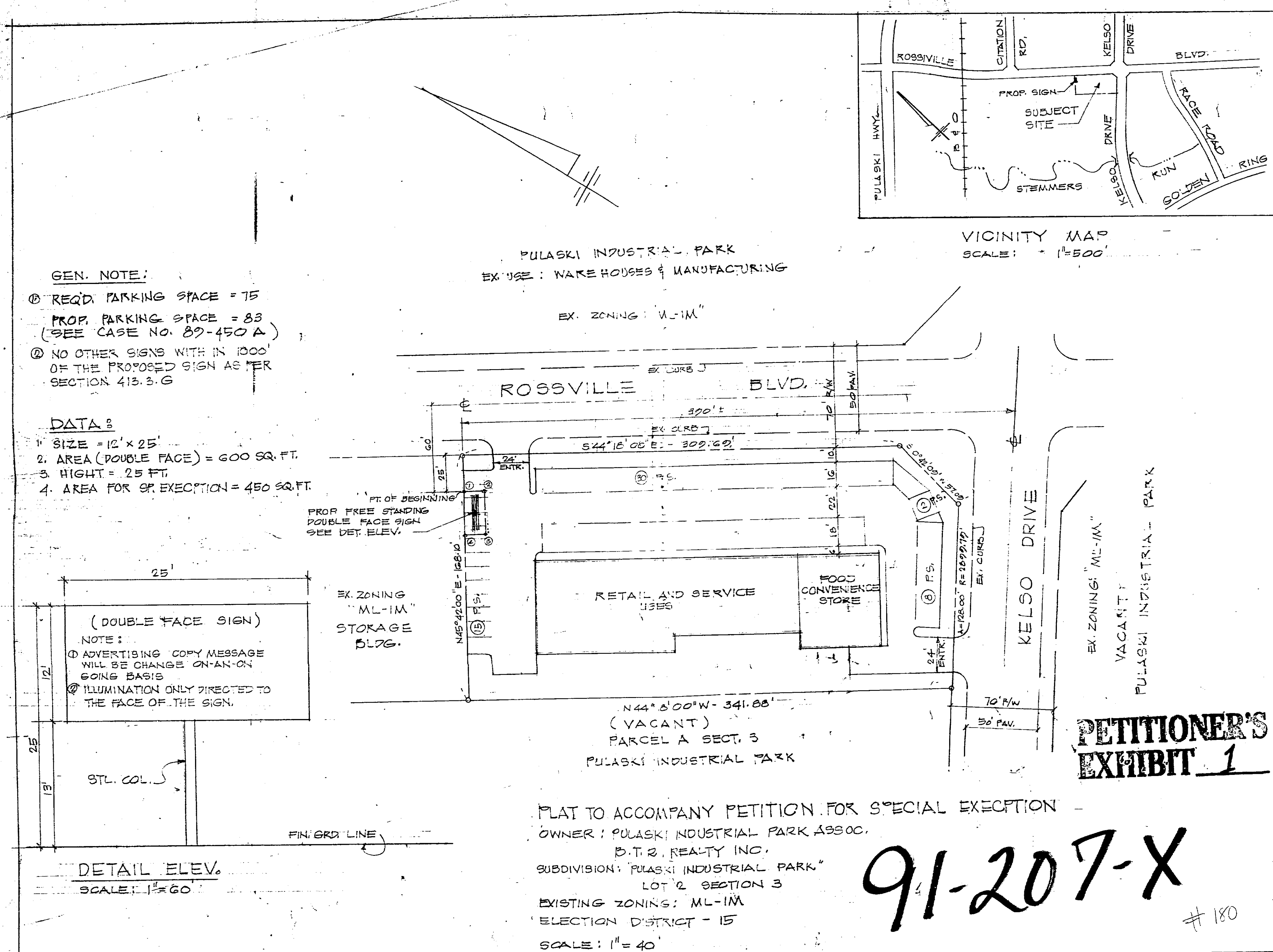
91-227X

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
Donna Hayward

ADDRESS
3001 Remington Ave. Balt., Md 21211



NOTES:

- EXISTING ZONING: ML-IM
- PROPOSED ZONING: ML-IM
- LOT AREA: 1.47 AC +/- CROSS
- NET AREA: 1.32 AC +/- NET
- SPECIAL EXCEPTION: TO PERMIT A FREE STANDING ILLUMINATED OUTDOOR ADVERTISING SIGN
- VARIANCES: SEE ZONING HISTORY NOTE (CASE NO. 89-450-A)
- EXISTING USE: RETAIL BUILDING
- PROPOSED USE: OUTDOOR ADVERTISING SIGN
- PREVIOUS ZONING HEARINGS:
- CNC PLANS: 89-009
- OWNERSHIP INFORMATION:
PREPARED BY:
ROBERT MONK, INC.
LIMITED PARTNERSHIP
115 SHILOH LANE, SUITE 200
BALTIMORE, MD 21208
PHONE: 466-9650
- DEED REFERENCE: 6148/517
- TAX MAP NO. 90, GRID: 8, PARCEL: 137
CROSS TRACT: 452
- ELECTION DISTRICT NO. 15
- COUNTY COUNCIL DISTRICT NO. 6
- SETBACK REQUIREMENTS (PROPOSED SIGN LOCATION)
FRONT: 25' +/-
SIDE: 5' +/-
REAR: 117' +/-
- PARKING TABULATION:
CONFERENCE ROOM STORE
SQUARE FEET - 3,277
PARKING REQ. - (350/1000 S.F.) = 14.4 SPACES
RETAIL AND SERVICE
SQUARE FEET - 11,725
PARKING REQ. - (350/1000 S.F.) = 58.6 SPACES
TOTAL REQUIRED - 73 SPACES
TOTAL PROVIDED - 82 SPACES
- NOTE: PROPOSED SIGN LOCATION WILL REQUIRE THE ELIMINATION OF ONE PARKING SPACE AND WILL NOT INTERFERE WITH ANY OTHER EXISTING PARKING SPACES, LOADING AREAS OR TRAVEL AISLES.
- UTILITIES: SITE IS SERVED BY EXISTING PUBLIC UTILITIES
- ZONING NOTES: OUTDOOR ADVERTISING SIGN
SECTION 413.5 (1)(C)
A. TOTAL SURFACE AREA OF SIGN = 300 S.F. PER SIDE (600 S.F. TOTAL)
B. N/A
C. N/A
D. SIGN IS NOT LOCATED WITHIN 100 FEET OF ANY STREET INTERSECTIONS, DUAL HIGHWAY OR WITHIN 50 FEET OF ANY OTHER INTERSECTION.
E. N/A
F. N/A
G. THERE ARE NO EXISTING OUTDOOR ADVERTISING SIGNS WITHIN 1000 FEET OF THE PROPOSED SIGN LOCATION.
H. N/A
I. N/A
SECTION 413.5 (2)(C)
A. THE SURFACE AREA OF THE PROPOSED SIGN INCLUDES THE FACING FACE OR FACES OF THE SIGN. (SEE ELEVATION)
B. THE SIGN DOES NOT PROJECT INTO THE STREET RIGHT-OF-WAY.
C. THE SIGN HAS BEEN DESIGNED TO ALLOW CLEAR AND AMPLE VISION TO ALL TRAVELERS ON ALL EXISTING DRIVEWAYS AND STREET INTERSECTIONS.
D. THE SIGN SHALL NOT EXTEND MORE THAN 25 FEET ABOVE THE LEVEL OF THE STREET (ROSSVILLE BLVD.).
E. THE SIGN SHALL BE ILLUMINATED IN SUCH A MANNER AS TO AVOID GLARE AND REFLECTION ONTO ADJACENT ROADS, OVERLOOKING BUILDINGS OR OTHER ADJACENT RESIDENTIAL PROPERTIES. LIGHTS WILL BE MOUNTED ON THE TOP OF THE SIGN AND NOT ON THE SIDE OF THE SIGN.

ZONING HISTORY

CASE NO. 89-450-A
BY J. ROBERT HANES
ZONING COMMISSIONER FOR BALTIMORE COUNTY
IT IS ORDERED BY the Zoning Commissioner for Baltimore County this 1st day of May, 1989, that the petition for Zoning Variance to permit a food/convenience store with a gross floor area of 3,277 square feet in lieu of the required 2,500 square feet and to allow direct access to arterial streets other than Class 2 Commercial Roadway, use and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- The petitioner may apply for this building permit and be granted same upon receipt of this Order; however, the petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, this petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Petitioner shall file a revised CNC Plan for Lot 2 Section 3, Lot 2 only, or seek a CNC Waiver.
- Petitioners, prior to obtaining a building permit, shall submit a building elevation and sign detail to the Office of Planning and Zoning for their review.
- Petitioners shall revise the Plat introduced as Petitioner's Exhibit No. 1 and shall submit a copy of said revised Plat not later than forty-five (45) days after the date of this order with the following note added: "No auxiliary retail or service uses, other than those listed in Section 271.0C and 271.0F of the Baltimore County Zoning Regulations, as amended from time to time, are permitted use on the subject site."
- Petitioners shall submit a landscape plan prior to the issuance of a building permit; said landscape plan shall conform to the CNC Plan approved for Lot 2 at the time of building permit application.
- Petitioners shall construct that parking for the subject site in strict accord with Petitioner's Exhibit No. 1, as revised pursuant to the requirements of this Order, and in no event shall the vehicle overhang of said parking spaces be allowed to intrude more than two feet into the 10' setback from right of way line of a public street, in accordance with B.C.Z.R. 409.8.A.4.
- When applying for a building permit the site plan and landscaping plan (filed) must reference this case and set forth and address the restrictions of this Order.
- Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make inspection of the subject property to ensure compliance with this Order.

CASE NO. 89-450-B
BY J. ROBERT HANES
ZONING COMMISSIONER FOR BALTIMORE COUNTY
THEREFORE, IT IS ORDERED BY the Zoning Commissioner for Baltimore County this 12th day of July, 1989, that the petition for Special Exception to permit two (2) illuminated 12' x 25' advertising signs on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- The petitioner may apply for their permit and be granted same upon receipt of this Order; however, the petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Prior to the issuance of any sign permit, Petitioners shall submit a revised site plan that has been signed and certified by a registered professional engineer and/or land surveyor which clearly identifies all buildings, their size and area dimensions, their exact location on the property, their distance from all property lines, a complete zoning history, including all prior zoning cases, a recalculation of parking spaces to demonstrate that there will be no negative impact as a result of the granting of this relief, and any other information as may be required to be a certified site plan.

NOTE: BOUNDARY OUTLINE AND LOCATION OF EXISTING IMPROVEMENTS BASED UPON A PLAN PREPARED BY COLBERT ENGINEERING, INC. ON 3/21/1989



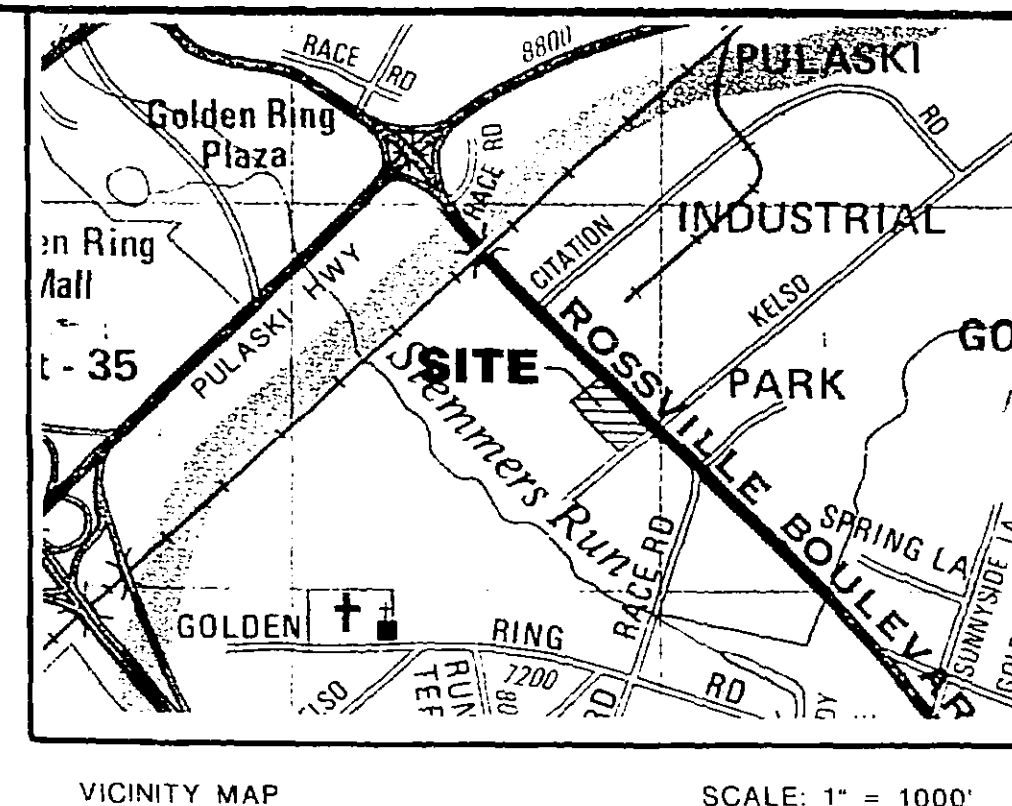
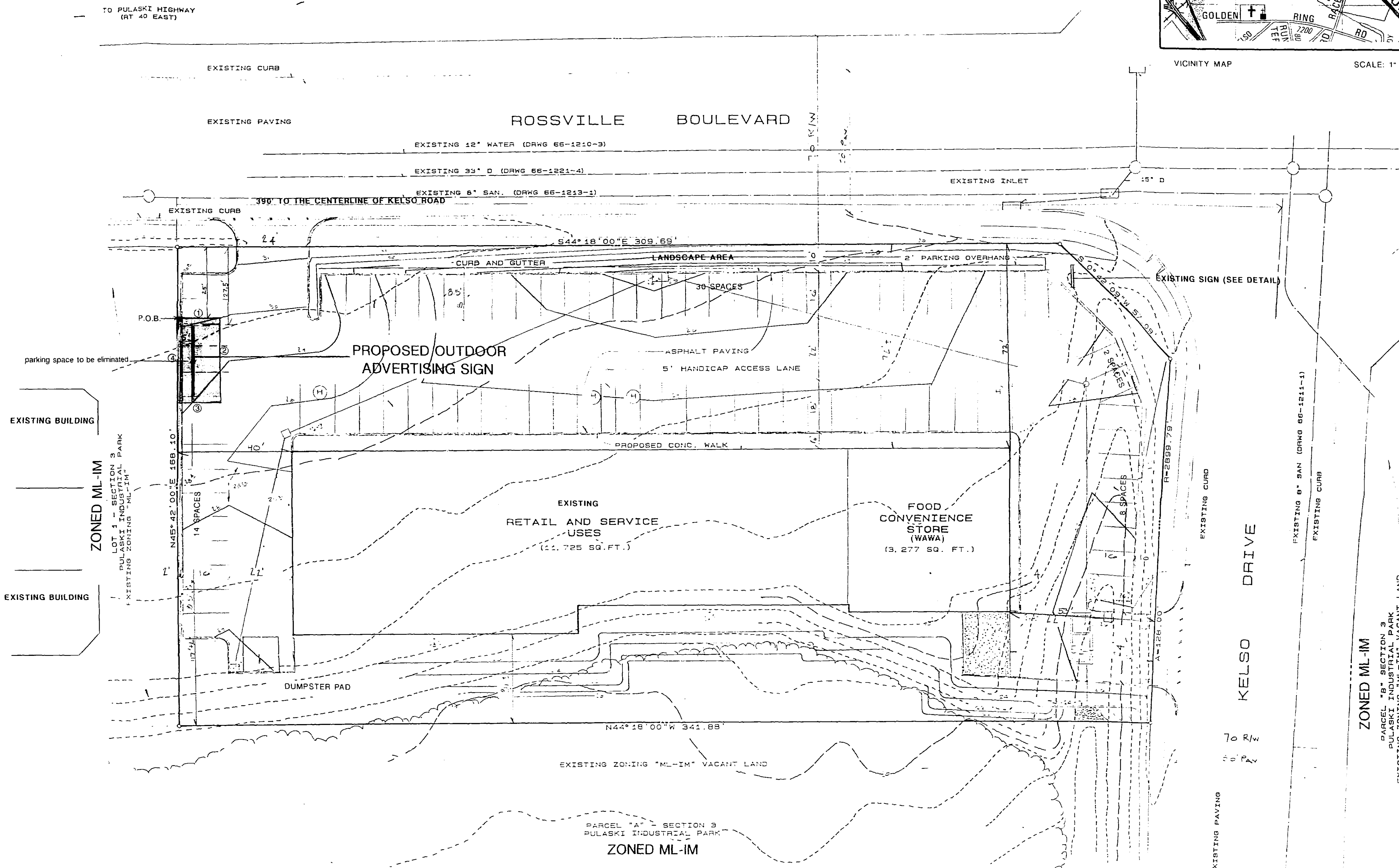
ELEVATION

EXISTING SIGN DETAIL

ELEVATION

PROPOSED OUTDOOR ADVERTISING SIGN

PLAT 1, REVISED PLAT, SECTION 3
PULASKI INDUSTRIAL PARK
E.H.K. JR. 46/44
EXISTING ZONING "ML-IM" OFFICE, WAREHOUSE AND MANUFACTURING USES
ZONED ML-IM



APPLICANT:
PENN ADVERTISING OF BALTIMORE, INC.
3001 REMINGTON AVENUE
BALTIMORE, MARYLAND 21211

DATE: 3/20/1982

JOB NO. 92024

SCALE: 1" = 20'

PLAN TO ACCOMPANY SPECIAL EXCEPTION APPLICATION

ROSSVILLE BLVD @ KELSO DRIVE

BALTIMORE COUNTY, MARYLAND

WILLIAM MONK, INC.
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
COURTHOUSE COMPLEX, SUITE 117
TOWSON, MARYLAND 21204
(410) 444-9551